REMARKS

By this Amendment, Applicant has canceled 1-2, and 4-20. Claim 3 has been modified to incorporate each of the limitations as set forth in Claim 1 before its cancellation.

Applicant has modified Figure 5B as requested by the Examiner. Additionally, Applicant has amended the objectionable portion of the specification directed to Figure 2. Applicant thanks the Examiner for withdrawing the objection to Claims 1-10, and the rejection set forth under 35 U.S.C. §112, first paragraph.

As noted by the Examiner, Claim 3 is directed to the embodiment of the invention illustrated in Figure 3, wherein the ground electrodes protrude from the insulating surface in order to provide improved contact for the purpose of reducing any adverse affects of the static electricity. It is particularly important to maintain the upper portions of the discharge electrodes at a higher level than the upper surface of the insulating film in order to provide improved electrical conductivity. Because this height difference contributes to controlling the thickness of the insulating film on the first electrodes, and the distance between the surface of the first electrode and the second electrode separately. A thin insulating film on the first electrode enables good sensing and the large distance between the surface of the first electrode and the second electrode provides good protection from the adverse affects of static electricity.

Applicant notes that neither of the newly cited references set forth by the Examiner provide any teaching or suggestion whatsoever regarding this advance in the art. More

specifically, Applicant notes that the *Machida* reference, United States Patent No. 6,248,655 is merely directed to a fingerprint sensing unit wherein the top surfaces of the discharge electrodes are maintained at the same level as the insulating film. As a result, there remains the problem that there is inadequate electrical contact with the discharge electrodes, and therefore static electricity is also a problem.

In apparent recognition of this deficiency, the Examiner has set forth a further rejection of Claim 3 based on the additional combination of *Machida* in light of the *Knapp* reference, United States Patent No. 5,325,442. As noted above, the *Machida* reference suffers from the significant deficiency that there is no teaching or suggestion regarding the extension of the discharge electrodes above the insulating surface. The *Knapp* fails to provide any additional teaching or suggestion which would result in Applicants claimed invention as set forth in Claim 3.

More specifically, in reference to the subject matter described in *Knapp*, the conducting pads 54 of *Knapp* are not discharge electrodes as claimed by Applicant. Rather, the array of connecting pads 54 are utilized together with the electrodes 14 opposite the plates of capacitors 35 so that ridges of a fingerprint contact and ground particular pads 54 of the array, whereby the capacitents of the capacitors 35 at the sense elements is determined by the opposed electrodes 14 and 54. The array of pads 54 are not themselves individually grounded, and do not provide the function of reducing static electricity through discharging undesired static electricity.

Accordingly, at best, the combination of *Machida* in view of *Knapp* would result in a structure having protruding electrodes or sensing the impression of a finger print with ground electrodes that are flush with the insulating surface. A proper obviousness rejection under 35 U.S.C. §103 requires that there be some teaching or suggestion in the art to make the claimed structure. As demonstrated above, the combination asserted by the Examiner will not result in Applicants claimed subject matter. Accordingly, the rejection is deficient and should be withdrawn.

Respectfully submitted,

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FIG. 5A
Prior Art

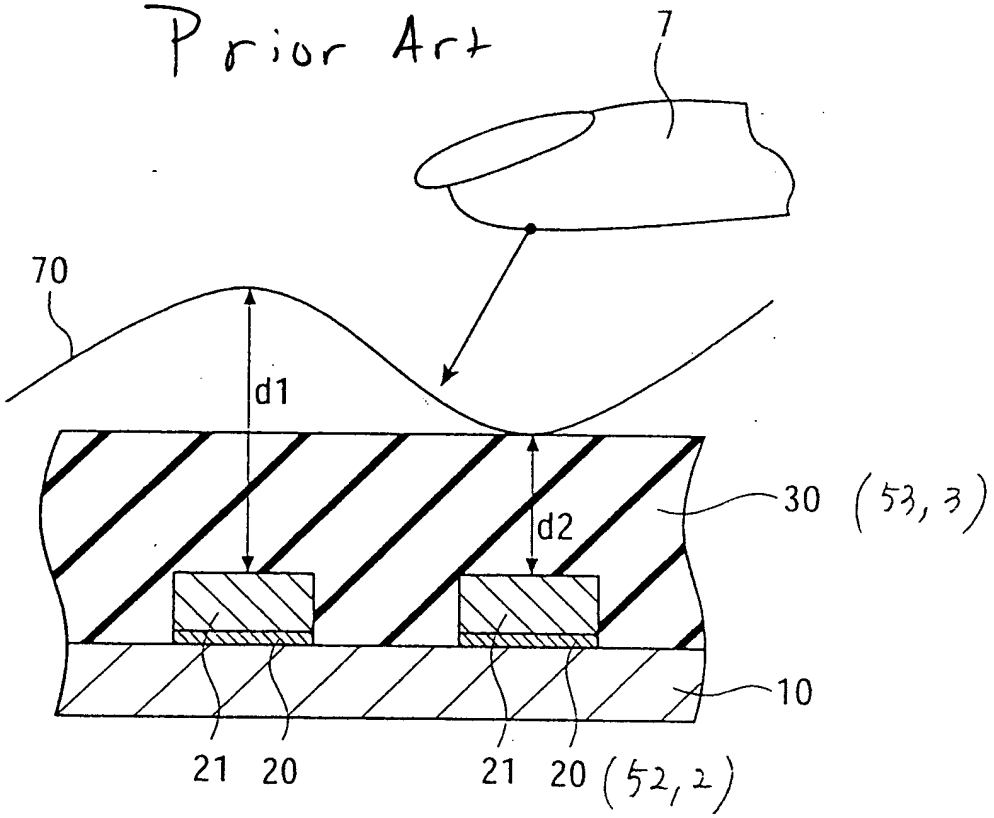

FIG. 5B Prior Art